

REMARKS

Claims 1-12 remain pending in the present application. Claims 1 and 8 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-6, 8-10 and 12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Stevens (U.S. Pat. No. 6,745,021). Applicant respectfully traverses this rejection. Claim 1 has been amended to include the step of periodically retransmitting the emergency message to mobile stations within the geographic region. Claim 8 has been amended to define the emergency message as being transmitted from one of the base stations to the at least one mobile station a plurality of times if the mobile station is within the affected geographic region. This feature is discussed on page 9, line 21 through page 10, line 4. By retransmitting the message or transmitting the message a plurality of times, mobile stations that have entered the specific geographic region will receive the warning as well as sending a reminder to those mobile stations who are still in the specific geographic region.

Stevens discloses sending an emergency message but none of the figures of Stevens and nowhere in the specification of Stevens does it disclose, teach or suggest retransmitting the warning or transmitting the warning a plurality of times.

Thus, Applicant believes Claims 1 and 8, as amended, patentably distinguish over the art of record. Likewise, Claims 2-6, which ultimately depend from Claim 1, and Claims 9, 10 and 12, which ultimately depend from Claim 8, are also believed to

patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Stevens (U.S. Pat. No. 6,745,021), as applied to Claim 6 above, and further in view of Sharma (U.S. Pat. No. 6,766,163). Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Stevens (U.S. Pat. No. 6,745,021), as applied to Claim 8 above, and further in view of Anttila, et al. (U.S. Pat. No. 6,721,542) (hereafter Anttila). Claim 7 ultimately depends from Claim 1. Claim 11 ultimately depends from Claim 8. As discussed above, Claims 1 and 8 have been amended and are now believed to patentably distinguish over the art of record. Thus, Claims 7 and 11 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 6, 2004

By: 
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg